

Jui-Pin CHEN
Application No. 10/765,389
Amdt. dated May 16, 2005
Reply to Office action of February 16, 2005

REMARKS

In the Office action dated February 16, 2005, claims 1 and 2 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2004/0040793 of Feng et al. (hereinafter “Feng”) in view of U.S. Patent No. 4,523,863 to Okoshi (hereinafter “Okoshi”).

In addition, claim 2 is objected to for informality.

Applicants also acknowledge safe receipt of the “Notice of References Cited” (form PTO-892) and the attached references. The Examiner is thanked for providing the patent number of Okoshi which was inadvertently left out of the February 16 Office action during the March 18, 2005 telephone communication with the undersigned.

In response to the objection, Applicant has amended claim 2 to correct a spelling error by changing “rotatably” to -- rotatably --, as instructed by the Examiner. In response to the rejections, Applicant has amended claim 1 and the specification, to further clarify the invention. Support for the amendment can be specifically found in Figure 2 as originally filed. No new matter is introduced.

Applicants respectfully submit the rejection have been overcome for reasons set forth below:

Claim rejections under 35 U.S.C. §103(a)

Claims 1 and 2 are rejected as being unpatentable over Feng in view of Okoshi.

To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP §706.02(j).

Jui-Pin CHEN
Application No. 10/765,389
Amdt. dated May 16, 2005
Reply to Office action of February 16, 2005

The bicycle disk break of the claimed invention as set forth in the amended claim 1 comprises, *inter alia*, a lever 12 which is pivotally mounted on the body 10 and actuates the driving device 20. The claimed invention is patently distinct, because Feng in view of Okoshi does not teach a lever as set forth below.

Applicant disagrees with the Examiner's allegation that Feng's bicycle disk break comprises, *inter alia*, "a body 150, a lever 70..." (See Office Action at 2). In fact, Feng discloses a main fixing case 70 (See Paragraphs [0020]-[0021] of Feng), which is firmly screwed together with a secondary fixing case 150." (See Feng, Paragraph [0037] and Figures 1 and 8 of Feng). The main fixing case 70 is a part of a fixed case which houses the cam mechanism B and the return mechanism C within (See Figures 1 and 8, Paragraphs 0035-0037 of Feng). Feng's main fixing case 70 is totally different from any lever. Hence there is no teaching of a lever in Feng. With respect to Okoshi, it discloses a thrust ball bearing and does not teach a lever. Therefore, Feng in view of Okoshi does not teach the lever of the claimed invention.

Further more, the bicycle disk break of the claimed invention as set forth in the amended claim 1 comprises, *inter alia*, washers, each having an annular groove with the concave bottom defined in the contact side and completely contacting with the balls for enlarging the contacting area between the washer and the balls. As stated by the Examiner, Feng does not disclose washers. Similarly, Okoshi does not teach the washers of the claimed invention. Okoshi discloses a thrust ball bearing comprising two thrust races 11, 12 each having a race groove. However, Okoshi's race groove of each race contacts with a ball only at the specific points A' and B' instead of completely contacting with the ball, so the total contact area between balls and the races of Okoshi is smaller than that of the claimed invention. The pressure applied to races

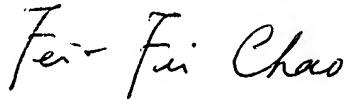
Jui-Pin CHEN
Application No. 10/765,389
Amdt. dated May 16, 2005
Reply to Office action of February 16, 2005

of the ball bearing of Okoshi is still large and will make the races of Okoshi be easily damaged. Okoshi does not disclose or achieve the advantage of enlarged contact areas between balls and washers to keep the washers from being damaged as shown in this invention. Thus, Feng in view of Okoshi does not teach the washers of the claimed invention.

Therefore, Feng in view Okoshi does not render the claimed invention obvious.

In view of the foregoing, the objection and rejection have been overcome and the claims are in condition for allowance, early notice of which is requested. Should the application not be passed for issuance, the examiner is requested to contact the applicant's attorney to resolve the problem.

Respectfully submitted,



Date: May 16, 2005

Fei-Fei Chao, Ph.D. (Reg. No. 43,538)
Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111-4067
Tel.: (202) 778-3179
Fax: (202)-778-6155